

Nos. 25-1018, 25-1019, 25-1024

**In the United States Court of Appeals for the Fourth Circuit**

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JEFFERSON GRIFFIN;  
*Plaintiff-Appellee,*

v.

NORTH CAROLINA STATE BOARD OF ELECTIONS,  
*Defendant-Appellant,*

*and*

ALLISON RIGGS; NORTH CAROLINA ALLIANCE FOR RETIRED AMERICANS, ET AL.,  
*Intervenor-Appellants*

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From the United States District Court  
for the Eastern District of North Carolina

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**MOTION FOR LEAVE TO FILE BRIEF OF  
RESTORING INTEGRITY & TRUST IN ELECTIONS  
AS *AMICUS CURIAE* IN SUPPORT OF PLAINTIFF-APPELLEE**

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Pursuant to Rule 29(a)(3) of the Federal Rules of Appellate Procedure, amicus Restoring Integrity and Trust in Elections (“RITE”) respectfully moves this Court for leave to file an amicus curiae brief in support of Plaintiff-Appellee.<sup>1</sup> Amicus’ proposed brief is attached to this Motion.

This appeal concerns the proper application of North Carolina’s election laws and the consequences of the Defendants-Appellants’ failure and refusal to comply with those laws. More specifically, the North Carolina State Board of Elections permitted individuals who were born overseas and never resided in North Carolina (“Never Residents”) to vote in the November 5, 2024 general election, directly violating the North Carolina constitution and the rights of North Carolina’s voters and the candidates who ran in those state elections.

Amicus has direct interests in the outcome of this appeal. RITE’s mission is to protect the rule of law in elections throughout the United States. It does so through advocating in favor of laws and policies that promote secure elections and enhance voter confidence in the electoral process and advocating against unlawful executive and administrative actions—like Defendants-Appellants’ here—that undermine those important goals. By allowing ineligible Never Residents to cast votes in this

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<sup>1</sup> Pursuant to Local Rule 27(a), amicus informed the parties to the appeal of amicus’s intended filing of this motion and requested the parties’ consent to the motion. All counsel consented to this motion.

state election, Defendants-Appellants significantly undermine confidence in the fairness of North Carolina's elections.

Amicus' brief is desirable and relevant, as it presents the perspective of a non-profit and non-partisan entity focused on election integrity. RITE's expertise and national perspective on voting rights, election law, and election administration will assist the Court in reaching a decision consistent with the rule of law. RITE has a direct interest in the outcome of the petition pending before the Court to the extent it relates to Never Resident voting, as it directly bears on RITE's organizational mission. Courts across the country have accepted and appreciated RITE's perspective as an *amicus* on election matters. *See, e.g., Beals v. Virginia Coalition for Immigrant Rights*, No. 24A407 (U.S. 2024); *Montana Public Interest Research Group et al. v. Christi Jacobsen*, No. 24-2811 (9<sup>th</sup> Cir. June 5, 2024); *Moore v. Harper*, 600 U.S. 1 (2023).

For the foregoing reasons, amicus respectfully requests that the Court grant it leave to file the attached amicus curiae brief.

Respectfully submitted this, the 23rd day of January, 2025.

**NELSON MULLINS RILEY &  
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By: /s/ Phillip J. Strach

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**CERTIFICATE OF COMPLIANCE**

I hereby certify that the foregoing motion complies with Fed. R. App. P. 27(d)(2)(A), 27(d)(1)(E), and 32(a)(5)-(6) as it complies with all type-volume and page limitations, as indicated by the word-processing system used to prepare the document. The foregoing contains fourteen-point, proportionally spaced font and does not exceed 5,200 words, excluding the items enumerated in Local Rule 32(f).

Respectfully submitted, this the 23rd day of January, 2025.

/s/ Phillip J. Strach  
Phillip J. Strach

**CERTIFICATE OF SERVICE**

I hereby certify that on January 23, 2025, I filed a copy of the foregoing document with the Clerk of Court using the CM/ECF system, which will automatically serve electronic copies upon all counsel of record.

/s/ Phillip J. Strach

Phillip J. Strach